

The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

SEAN WILSON, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

HUUUGE, INC., a Delaware corporation,

Defendant.

No. 18-cv-05276-RBL

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

1 The above-captioned matter came before this Court upon Plaintiff's Unopposed Motion
 2 for Preliminary Approval of Class Action Settlement. Based upon the memoranda, exhibits, and
 3 all the files and proceedings herein, the Court finds as follows:

4 1. The Court grants preliminary approval of the Settlement based upon the terms set
 5 forth in the Settlement Agreement.

6 2. The settlement terms set forth in the Settlement Agreement appear to be fair,
 7 adequate and reasonable to the Settlement Class, and the Court preliminarily approves the terms
 8 of the Settlement Agreement, including:

- 9 a. A Settlement Fund of \$6,500,000;
- 10 b. Incentive Awards, which shall not exceed \$10,000 for Plaintiff Sean
 11 Wilson and shall not exceed \$1,000 for Class Representatives Heidi
 12 Hammer;
- 13 c. Attorneys' fees to Settlement Class Counsel, which shall be no more than
 14 30 percent (30%) of the Settlement Fund, plus reimbursement of expenses
 15 and;
- 16 d. Settlement Administration Expenses, which together with any anticipated
 17 Fee Award and Incentive Award, shall be no more than 30 percent (30%)
 18 of the Settlement Fund.

19 3. The Court grants the Parties' request for certification of the following Rule 23
 20 Settlement Class for the sole and limited purpose of implementing the terms of the Settlement
 21 Agreement, subject to this Court's final approval:

22 Washington residents (as reasonably determined by IP address
 23 information or other information furnished by Platform Providers) who
 24 played the Applications on or before preliminary approval of the
 settlement.¹

25 ¹ Excluded from the Settlement Class are (1) any Judge or Magistrate presiding over this action and members
 26 of their families, (2) Defendant, Defendant's subsidiaries, parent companies, successors, predecessors, and any
 27 entity in which Defendant or its parents have a controlling interest and their current or former officers, directors, and
 employees, (3) persons who properly execute and file a timely request for exclusion from the settlement class, and
 (4) the legal representatives, successors or assigns of any such excluded persons.

4. The Court preliminarily appoints Jay Edelson, Rafey S. Balabanian, Todd Logan, Alexander G. Tievsky, and Brandt Silver-Korn of Edelson PC as Class Counsel, and Plaintiff Sean Wilson along with Heidi Hammer as Settlement Class Representatives.

5. This Court approves, as to form and content, the notice of proposed class action settlement (the "Notice"), in substantially the form attached to the Settlement Agreement as Exhibits B, C and D. The Court approves the procedure for Settlement Class Members to opt out of, or object to, the Settlement as set forth in the Settlement Agreement Notice.

6. The Court directs the mailing of the Settlement Class Notice by email and/or First-Class U.S. mail to the Settlement Class Members in accordance with the schedule set forth below. The Court finds the dates selected for the mailing and distribution of the Notice, as set forth below, meet the requirements of due process and provide the best notice practicable under the circumstances and shall constitute due and sufficient notice to all persons entitled thereto.

Deadline	Event
No later than seven (7) days after Execution of the Settlement Agreement	Deadline for Plaintiff to issue subpoena and rider to Platform Providers as described in the Agreement § 4.1.
No later than fourteen (14) days after receiving the last data requested in the Agreement § 4.1	Deadline for Defendant to provide completed Settlement Class List to Class Counsel and the Settlement Administrator
No later than seven (7) days after entry of Preliminary Approval	Deadline for Settlement Administrator to provide Notice on the settlement website www.hgsettlement.com
No later than thirty-five (35) days after entry of Preliminary Approval	Deadline for Settlement Administrator to mail Notice via Email and/or First-Class U.S. Mail.
No later than thirty (30) days prior to the Claims Deadline	Deadline for the Settlement Administrator to send Reminder Notice via email
No later than fifty-six (56) days following the Notice Date and no sooner than fourteen (14) days after papers supporting the Fee Award.	Deadline to have postmarked and/or filed a written objection to this Settlement Agreement or a request for exclusion;

Dated this ____ day of _____, 2020

[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL
No. 18-CV-05276 - 3